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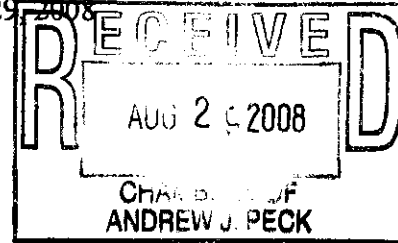
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August 29, 2008



By Facsimile (212) 805-7933
Hon. Andrew J. Peck, U.S.M.J.
United States Courthouse
500 Pearl St., Room 1370
New York, NY 10007

CDO Plus Master Fund Ltd. v. Wachovia Bank, N.A.,
07 Civ. 11078 (LTS)

USDC SDNY
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DATE FILED: 9/2/08

Dear Judge Peck:

We represent CDO Plus Master Fund, the Plaintiff in the above-captioned action. I write to request an adjournment of the discovery conference scheduled for next Friday, September 5, 2008 at 9:30 a.m. Opposing counsel has consented to the proposed adjournment. Apart from a rescheduling of the settlement conference, there have been no prior requests for adjournments.

We respectfully request that the Court reschedule the discovery conference because the parties require additional time to negotiate a compromise regarding the scope of documents to be produced by the Defendant, Wachovia Bank. While counsel have conferred by letter and by telephone over the past few weeks and have exchanged some additional documents, we still have not been able to find a mutually acceptable way to narrow the scope of Wachovia's production. We will need additional time to review the documents recently produced by Wachovia and revisit our dispute with opposing counsel if we wish to obviate further judicial involvement. It is not realistically possible for us to do this by next Friday. I understand that counsel are available from each side on September 10, 11 or 12.

MEMO ENDORSED 7/12/08

CMP ADJOURNMENT AT PARTIES' REQUEST TO 9/10 at 3PM.

Respectfully submitted,

Terence W. McCormick

Terence W. McCormick

cc: Shawn Patrick Regan, Esq.
Patrick L. Robson, Esq.

SO ORDERED:
Hon. Andrew J. Peck
United States Magistrate Judge
CONF. 7/12/08! [Signature]

BY FAX

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FROM:	Terence W. McCormick, Esq.	DATE: 8/28/2008 5:26 PM	Pages: 2

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